IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUMMONS FOR JUDGMENT NO.742 OF 2005

IN

SUIT NO.2442 OF 2005

...

Amit U. Jain ...Plaintiff

v/s.

Ajay Kantilal Shah ...Defendant

...

Mr.Ramesh Jain for the Plaintiff.

Mr.A.M.Talreja for the Defendant.

...

CORAM: D.K.DESHMUKH, J.

DATED: 6TH JUNE, 2006

P.C.:

The Plaintiff has filed this suit for recovery of the

amount for the repayment of which cheques were given by the Defendant, which were dishonoured. Defendant has been served with the summons for judgment. There is no reply filed. There is no application filed for leave to defend within the time stipulated by Order XXXVII of CPC. There is also no application seeking extension of time to file such application.

Heard the learned Counsel for the Plaintiff. Perused the record. In the absence of any affidavit seeking leave of the court to defend the suit, in terms of the Order XXXVII of the CPC, the Plaintiff becomes entitled to judgment. Summons for judgment is, therefore, granted. The suit is decreed in terms of prayer clauses of the suit.

Refund of court fees as per rules.

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